

LET-109



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

COOK ET AL.

Serial No.: 10/634,853

Filed: August 6, 2003

For: SYSTEM AND METHOD FOR
PROVIDING MEDIA SAMPLES
ON-LINE IN RESPONSE TO
MEDIA RELATED SEARCHES ON
THE INTERNET

Art Unit: 2171

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT FILED UNDER 37 C.F.R. § 1.97(c)(1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants wish to make of record in the above-identified application the document or documents referenced on the attached Form PTO-1449. Further, the undersigned hereby certifies that:

- ☒ each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to my knowledge after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any

individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the information disclosure statement.

The undersigned believes that this Information Disclosure Statement is being filed before the mailing date of any action that closes prosecution in the present application. Accordingly, Applicants do not believe that a fee is due for filing this paper. However, should such an action have been issued on the same day or before this Information Disclosure Statement is filed, please accept this Information Disclosure Statement under 37 C.F.R. § 1.97(d) and charge the requisite fee to our Deposit Account No. 50-1390, under Order No. LET-109 and proceed to consider this Information Disclosure Statement.

It is respectfully requested that the information be expressly considered during the prosecution of this application, and that each reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This submission does not represent that any referenced document is material or constitutes "prior art." If it should be determined that one or more of the referenced documents constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the reference or references.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over any referenced document, should it be applied against the claims of the present application.

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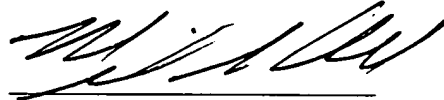
SHAW PITTMAN LLP
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Date: March 1, 2004

Respectfully submitted,

COOK ET AL.

By:

A handwritten signature in black ink, appearing to read "Michael A. Oblon", written over a horizontal line.

Michael A. Oblon
Registration No. 42,956



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO		Complete if Known			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/634,853		
		Filing Date	August 6, 2003		
		First Named Inventor	Cook et al.		
		Art Unit	2171		
		Examiner Name	Not Yet Assigned		
Sheet	1	of	1	Attorney Docket Number	LET-109

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number- Kind Code ² (if known)			
		US-6,009,410	12/28/99	LeMole et al.	
		US-6,587,127	7/1/03	Leeke et al.	
		US-			
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FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		PCT International Search Report PCT/US03/34499		Loudeye Corp.		<input type="checkbox"/>
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Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.